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MAR 27 2007

Application No.: 09/788,646
Attorney Docket No. 52493.000127

REMARKS

Claims 1-35 and 53-55 are pending in the application. Claims 1 and 21 are amended, and claims 36-52 are hereby canceled without prejudice or disclaimer to the subject matter set forth therein, such claims 36-52 previously being withdrawn from further consideration as being drawn to a non-elected species/invention. Claims 4-6, 9-11, 15, 17-20, 25-27, and 31-34 are currently withdrawn from further consideration as being drawn to a non-elected species/invention. Thus, claims 1, 2, 3, 7, 8, 12, 13, 14, 16, 21, 22, 23, 24, 28, 29, 30, 35 and 53-55 are currently under examination. Applicant notes that claim 35 appears to be inadvertently included in the withdrawn claim listing. Applicant requests confirmation that such claim 35 is under examination.

By this Amendment, claims 1 and 21 are amended for clarity, and to further recite details of the invention so as to expedite prosecution of the present application. No new matter has been added by this Amendment. Support for the amendments may be found in the application in paragraphs 34, 35, 37 and 38, for example (with reference to the paragraph numbering of the published patent application 2002/0116229)

Reconsideration and allowance in view of the following remarks are respectfully requested.

A. The Allowable Subject Matter

On page 5, the Office Action indicates that "claims 3/23 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph set forth in this Office action and to include all of the limitations of the base claim and any intervening claims." Thus, it appears that the Examiner has indicated that claims 3 and 23 contain allowable subject matter. Confirmation of such is requested, in particular since claims 3 and 23 are also included in the

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listing of rejected claims.

Applicant appreciates the indication of allowable subject matter. In response, Applicant has added claims 52 and 53. That is:

New claim 52 includes features from claims 3, 2 and 1; and

New claim 53 includes features from claims 23, 22 and 21.

B. The 35 U.S.C. § 112 Rejection

In the Office Action, claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action asserts the verbs "receiving", "accessing", and "displaying", etc. all need to be recited in the context of a computer connected to the network. Applicant respectfully traverses such rejection.

In particular, the Office Action does not appear to set forth any basis for such rejection, but rather simply sets forth a requirement that further features be added to the claimed invention. Accordingly, Applicant requests clarification of the basis of the rejection. That is, as to the clarity of the claims, it appears that the claim language is indeed clear under 35 U.S.C. 112.

Clarification or withdrawal of the 35 U.S.C. 112 rejection is requested.

C. The 35 U.S.C. §103 Rejection Based on Bennett In View of Hanby

In the Office Action, claims 1, 2, 3, 7, 8 12, 13, 14, 16, 21, 22, 23, 24, 28, 29, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent to Bennett et al (7,117, 170) in view of U.S. Patent to Hanby et al. (7,143,051). This rejection is respectfully traversed.¹

¹ Applicant requests clarification of such rejection and the listing of claims. The Office Action (page 5) appears to indicate that claims 3 and 23 contain allowable subject matter. Further, clarification of the disposition of claim 35 is requested.

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The Office Action asserts that Bennett discloses various features of the claimed invention. In particular, the Office Action asserts that Bennett describes receiving at a supplier a request for sales-related data from a user associated with a broker. The Action asserts that the user uses the computer of the broker to get the nearest shipping location based on an email address. The Action further asserts that Bennett discloses the request for sales related data input from a broker network address being utilized by the user to submit the request for sales related data. The Action relies on Bennett col. 20, line 42, and asserts that the shipping center data defaults to preset origin zip code locations based on email address recognized at log on.

Bennett is directed to apparatus, systems and methods for applying billing options for multiple carriers for online, multi-carrier, multi-service parcel shipping management. In the Abstract, Bennett describes that the Bennett invention provides apparatus, systems and methods that apply to a single particular billing method selected by each of a plurality of users, in response to each particular user's request, a set of billing method rules for each carrier of a plurality of carriers and determines whether or not each carrier of the plurality of carriers supports the shipper's specified preferred billing method, and if so, any special pricing considerations for each particular Carrier. Each user accesses the present invention over a global communications network using a client computer device, each user client computer device having an individual electronic connection to the global communications network.

In particular, Bennett discloses a shipping system that a user logs into so as to request the system to deliver an item. Users of the system input their physical locations and email addresses when they log in the system for the first time as part of the user address collection screen. (Col. 15, lines 39-46) When a user logs back on as a shipper, the system will default the shipping location to the user's specified preferences that the user inputs at the first time the user logs into

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the system. (Col. 20, lines 36-40) Bennett further teaches that if the user's specified preference is a "customer drop off" location, the system populates the origin zip code with the user's default zip code that the user inputs at the first time the user logs into the system. (Col. 20, lines 40-44.)

Applicant submits that Bennett does not teach the claimed features as recited in claim 1.

In particular, claim 1 as currently amended recites:

receiving, at a supplier, a request for sales-related data from a user associated with a broker, the request for sales related data being transmitted from a broker network address of the broker, **the broker network address being utilized by the user for the transmission of the request for sales-related data;**

In conjunction with such claimed features, claim 1 also recites:

accessing broker information, at the supplier, from a broker information database **based on the broker network address;**

Applicant respectfully submits that Bennett fails to teach or suggest the claimed manner in which the broker network address is utilized and the interrelationship of such use vis-à-vis the customer and the access of data. Specifically, the Office Action appears to be interpreting Bennett such that a user's log in credential (user name or user id) is constituted by an "email address." Bennett collects email addresses as part of a user collection screen as discussed above. The Office Action further asserts that Bennett uses the log in credential to retrieve the information regarding the user's preferred physical location, such as the origin zip code. However, claim 1 recites "the broker network address being **utilized by the user for the transmission of the request for sales-related data**" and then "accessing broker information, at the supplier, from a broker information database **based on the broker network address**". Bennett fails to teach or suggest such utilization of the broker network address and such interrelationship

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of features.

In the Office Action, on page 3, line 10, the Office Action asserts teachings of Bennett relating to the user entering the provider's system through a "hypertext e-mail link." Applicant notes Bennett in column 14, line 25-33. Therein, Bennett describes:

In an exemplary eCommerce embodiment of the System, if the User enters the System through a link from a Provider, the System 1 will ask the User to log in. (A User that is a Buyer/Bidder that enters the System with a particular Buyer/Bidder URL (Universal Resource Locator), such as through a hypertext e-mail link as is discussed below, is not required to follow the log in procedure.) The log in and registration processes described below are also provided in a similar manner by some simplified Internet embodiments.

In general, Applicant notes that Bennett does indeed provide various teachings relating to the use of links. That is, for example, in column 26, lines 36-50, Bennett describes that in one embodiment, the system generates an HTML hyperlink by executing a JAVA script routine (in alternative embodiments, other scripts are used). The JAVA routine extracts the Seller's package-specific information from the Create a Seller's Link HTML page (i.e., Weight, Irregular or Non-Standard Packaging, Loss Protection, Destination Zip code, Link Type and Link Text) and integrates the information with a URL (Universal Resource Locator) that points to the address at which a System web page exists, or a series of System web pages exist, that will display shipping cost comparisons for a Buyer/Bidder. Bennett describes In one embodiment, the URL information is hard coded in the web page. The hyperlink built by the System contains data as well as an address. In an alternative embodiment, the URL is dynamically generated.

However, based on Applicant's review of the teachings of Bennett above and otherwise, Applicant submits that Bennett does not disclose the particulars of claim 1, as amended.

Applicant understands that the Office Action and the 35 U.S.C. 103 rejection relies collectively on the teachings of Bennett and Hanby. That is, on page 4, the Office Action asserts

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that Bennett discloses the invention as set forth above but fails to disclose an insurance based inquiry system and thus does not disclose accessing state related information that includes at least one of the users state of residence and the state in which the broker is licensed and generating the sales-related data based on the received request-related information based on the state related information. The Office Action reflects, however, Hanby does disclose an internet based insurance sales method/system wherein the quote engine requires rules to effect the desired quote. The Office Action further assert that it would be obvious to modify Bennett to include the internet based insurance purchasing application taught by Hanby, the motivation being the rapidity of ordering before rate changes occur.

Thus, the Office Action relies on the particulars of Hanby for internet based insurance quote engine rules regarding state related information. However, even if Bennett was so modified (which is not admitted to be obvious) Hanby fails to cure the deficiencies of the teachings of Bennett, as discussed above. In particular, Hanby fails to disclose the particulars relating to the use of the broker network address, as discussed above.

On pages 4 and 5, the Office Action sets forth various assertions relating to asserted teachings of the applied art. Applicant submits that even if such assertions were supportable, which is not so admitted, such would still fail to cure the deficiencies of the applied art, as discussed above.

Accordingly, it is respectfully submitted that claim 1 defines patentable subject matter for at least the reasons set forth above. Further, it is submitted that independent claim 21 defines patentable subject matter for reasons similar to those set forth with respect to claim 1. The various dependent claims define patentable subject matter based on their various dependencies

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on the independent claims, as well as the additional features such dependent claims recite.

Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

D. Conclusion

For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully solicited.

In the event any fees are necessary, please charge or credit any such fees, including fees for any extensions of time, to the undersigned's Deposit Account No. 50-0206.

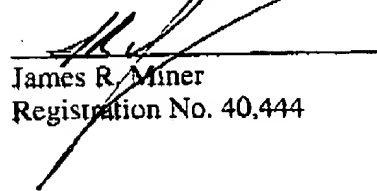
The Examiner is respectfully requested to call Applicant's undersigned representative at the telephone number below if any assistance might be provided to the Examiner in the examination of the application.

Respectfully submitted,

HUNTON & WILLIAMS

Date: March 27, 2007

By:


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